

PATENT APPLICATION

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Gerhard HARTWICH and Adam HELLER
Serial no. : 09/856,543
Filed : an effective filing date of November 19, 1999
For : METHOD FOR THE ELECTROCHEMICAL
DETECTION OF NUCLEIC ACID OLIGOMER
HYBRIDS
Docket : PATKRI P01AUS

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371**

In response to the Notice of Missing Requirements under 35 U.S.C. 371 mailed June 26, 2001, a copy of the Notice is being returned to the United States Patent Office, as requested, along with two (2) signed Declaration and Power of Attorney forms and a Petition for a four (4) Month Extension of Term. Attached, please find our firm's check in the amount of \$785.00, \$65.00 of which covers the surcharge, on the small entity basis and \$720.00 of which covers the fee for a four (4) month extension of time. Lastly, attached is a copy of our previous Response filed on August 24, 2001.

If anything further is required before a filing receipt can be issued for this application, please immediately contact the undersigned attorney.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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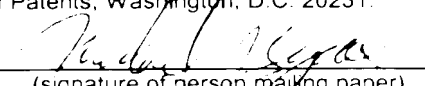
E-mail: patent@davisandbujold.com

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Group Art Unit:
Examiner:
Docket: PATKRI P01AUS

RECEIVED: Response to Notif.of Missing Requirements & Amendment
to Incorporated Sequence Listing-12 pgs.;
Marked-Up Version of Amended Spec-9 pgs.;
Sequence Listing-2 pgs.
1- Sealed Floppy Disc

lfb:08/24/01

FORM PTO-1350 Re. 5-931		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER PATKRI P01AUS	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. 09/856,543	
INTERNATIONAL APPLICATION NO. PCT/EP99/08888		INTERNATIONAL FILING DATE November 19, 1999		PRIORITY DATE CLAIMED November 23, 1998	
TITLE OF INVENTION METHOD FOR THE ELECTROCHEMICAL DETECTION OF NUCLEIC ACID OLIGOMER HYBRIDS					
APPLICANT(S) FOR DO/EO/US Gerhard HARTWICH and Adam HELLER					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.					
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.					
3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).					
4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.					
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))					
a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).					
b. <input type="checkbox"/> has been transmitted by the International Bureau. (PCT/IB/308 mailed)					
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)					
6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)) is attached.					
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))					
a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).					
b. <input type="checkbox"/> have been transmitted by the International Bureau.					
c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.					
d. <input type="checkbox"/> have not been made and will not be made.					
8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).					
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).					
10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).					
Items 11. to 16. below concern other document(s) or information included:					
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 with PTO FORM 1449.					
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.					
13. <input type="checkbox"/> A FIRST preliminary amendment.					
<input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.					
14. <input type="checkbox"/> A substitute specification w/Marked-Up Version of Amended Specification.					
15. <input type="checkbox"/> A change of power of attorney and/or address letter.					
16. <input checked="" type="checkbox"/> Other items or information:					
<input type="checkbox"/> Preliminary Examination Report		<input type="checkbox"/> Copy of Request			
<input type="checkbox"/> Annexes to Pre. Ex. Rep.		<input type="checkbox"/> Submission of Formal Drawings			
<input type="checkbox"/> International Search Report		<input type="checkbox"/> _____ sheets of formal drawings			
<input type="checkbox"/> German Novelty Search Report		<input checked="" type="checkbox"/> Petition for a Four (4) Month Extension			
<input type="checkbox"/> _____ copies of citations		<input checked="" type="checkbox"/> Applicant Claims Small Entity Status			
<input type="checkbox"/> Form PCT/IB/308		<input checked="" type="checkbox"/> Copy of Notification of File Missing Parts			
<input type="checkbox"/> International Publ. No. _____ (Face page only)		<input checked="" type="checkbox"/> Response to Notification of Missing Parts			
CERTIFICATION UNDER 37 CFR 1.10					
I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date December 13, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number <u>EL918840739US</u> addressed to the: Box PCT, Assistant Commissioner of Patents, Washington, D.C. 20231.					
<u>Michael J. Bujold</u> (typed or printed name of person mailing paper)			 (signature of person mailing paper)		

17. ■ The following fees are submitted:				CALCULATIONS	PTO USE ONLY
Basic National Fee (37 CFR 1.492(a)(5):					
Search Report has been prepared by the EPO or JPO \$890.00					
International preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(1) ... \$710.00					
No international preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(2) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$740.00					
Neither international preliminary examination fee (37 CFR 1.492)(a)(3) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1040.00					
International preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(4) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				0	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				130	
Claims	Number Filed	Number Extra	Rate		
Total Claims	-20 =	0	x \$18.00	0	
Independent Claims	-3 =	0	x \$84.00	0	
Fee for four (4) month extension of term			\$1440.00	1440	
TOTAL OF ABOVE CALCULATIONS =				1570	
Reduction by 1/2 for filing by small entity, if applicable. Applicant Claims Small Entity Status. (Note 37 CFR 1.9, 1.27, 1.28).				785	
SUBTOTAL =				785	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	0
TOTAL NATIONAL FEE =				785	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	0
TOTAL FEES ENCLOSED =				785	
				Amount to be:	
				refunded	\$
				charged	\$
<p>a. ■ A check in the amount of \$ <u>785.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>04-0213</u> in the amount of \$ <u> </u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. ■ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-0213</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: <u>Michael J. Bujold</u></p> <p style="margin-left: 300px;">Michael J. Bujold -- Registration No. 32,018 Davis & Bujold, P.L.L.C. Fourth Floor 500 North Commercial Street Manchester, NH 03101-1151 Telephone (603) 624-9220 Telefax (603) 624-9229</p>					